

### **Amendments to the Claims**

This listing of claims will replace all prior versions, and listings, of claims in the application. All claims currently being amended are shown with deleted text struckthrough or double bracketed and new text underlined. Additionally, the status of each claims is indicated in parenthetical expression following the claim number.

Claims 1-25 remain.

Claims 1, 10, 18, and 22 are being amended.

New Claims 26 - 34 are being added.

### **WHAT IS CLAIMED:**

1. (Currently Amended) A method of treating an established distressed tree exhibiting a decline in health, a root system of the distressed tree planted in soil comprising the steps of:  
creating a mixture comprising a fertilizer and a growth hormone; and  
applying the mixture to a root area of the soil to treat the root system of the distressed tree.
2. (Previously Amended) The method of Claim 1 wherein the growth hormone is selected from the group consisting of naphthalene acetic acid and 3-indolebutyric acid.
3. (Original) The method of Claim 1 wherein the distressed tree is a Post Oak.
4. (Original) The method of Claim 1 wherein the mixture comprises a mixture of powders.
5. (Original) The method of Claim 1 wherein the mixture comprises at least one liquid.

6. The method of Claim 1 wherein the fertilizer has a nitrogen content in the range of about 10 to about 25 percent by weight, a phosphorous content in the range of about 5 to about 20 percent by weight, and a potassium content in the range of about 5 to about 20 percent by weight.
7. (Original) The method of Claim 1 wherein the fertilizer comprises a liquid.
8. (Original) The method of Claim 1 wherein said step of creating a mixture further comprises the step of adding a fungicide.
9. (Original) The method of Claim 8 wherein said fungicide comprises the tetramethylthiuramdisulfide.
10. (Currently Amended) A mixture for treating roots of an adult distressed tree exhibiting a decline in health, said roots planted within soil, comprising:
  - a fertilizer; and
  - a root growth hormone selected from the group consisting of naphthalene acetic acid, 3-indolebutyric acid, and wherein said fertilizer and said growth hormone are selected to be effective to treat said roots of said distressed tree within said soil.
11. (Original) The mixture of Claim 10 wherein said root growth hormone comprises about 0.1% by weight of a powder.
12. (Original) The mixture of Claim 10 wherein said root growth hormone comprises about 0.1% by weight of a liquid.
13. (Original) The mixture of Claim 10 wherein a proportion of said root growth hormone is selected to provide an effective dosage of about .355 milligrams per application site.

14. (Original) The mixture of Claim 10 wherein said fertilizer comprises a powder having a nitrogen content in the range of about 10 to about 25 percent by weight, a phosphorous content in the range of about 5 to about 20 percent by weight, and a potassium content in the range of about 5 to about 20 percent by weight.
15. (Original) The mixture of Claim 10 wherein said fertilizer comprises a liquid.
16. (Original) The mixture of Claim 10 and further comprising a fungicide.
17. (Original) The methods of Claim 16 wherein said fungicide comprises tetramethylthiuramdisulfide.
18. (Currently Amended) A method for treating a distressed tree exhibiting a decline in health comprising the steps of:  
creating a hole in a root area of a tree; and  
applying a mixture comprising a fertilizer and a root growth hormone in the hole created in the root area of the tree.
19. (Previously Amended) The method of Claim 18 and further comprising the step of forming the mixture comprising the substep:  
selecting the root growth hormone from the group consisting of naphthalene acetic acid, 3-indolebutyric acid.
20. (Original) The method of Claim 18 wherein said step of creating a hole comprises the step of creating the hole with water jet.
21. (Original) The method of Claim 18 and further comprising the steps of cyclically following said step or applying saturating the tree root area with water and drying the root area.

22. (Currently Amended) A kit for treating an established distressed tree exhibiting a decline in health having a root system disposed within soil comprising:

- a mixture comprising a fertilizer and a growth hormone;
- a container for holding the mixture; and
- a tool for applying the mixture to the root system within the soil.

23. (Original) The kit of Claim 22 wherein the growth hormone is selected from the group consisting of naphthalene acetic acid, 3-indolebutyric acid, and derivatives thereof.

24. (Original) The kit of Claim 22 and further comprising instructions for applying the mixture to the distressed tree.

25. (Original) The kit of Claim 22 and further comprising an implement for applying the mixture to the distressed tree.

26. (New) The method of treating a tree in decline, a root system of the tree in decline existing in soil comprising the steps of:

- creating a mixture comprising a fertilizer and a growth hormone; and
- applying the mixture to the root area and the soil within the root area in order to treat the root system of the tree in decline.

27. (New) The method of treating a tree exhibiting a reduction in the number of root hairs, a root system of the tree exhibiting a reduction in the number of root hairs existing in soil comprising the steps of:

- creating a mixture comprising a fertilizer and a growth hormone; and
- applying the mixture to the root area and the soil within the root area in order to treat the root system of the tree exhibiting a reduction in the number of root hairs.

28. (New) The method of treating a tree exhibiting a thinning of the canopy, a root system of the tree exhibiting a thinning of the canopy and existing in soil comprising the steps of:

creating a mixture comprising a fertilizer and a growth hormone; and  
applying the mixture to the root area and the soil within the root area in order to treat the root system of the tree exhibiting a thinning of the canopy.

29. (New) The method of treating a tree exhibiting water sprouts on large limbs, a root system of the tree exhibiting water sprouts on large limbs existing in soil comprising the steps of:

creating a mixture comprising a fertilizer and a growth hormone; and  
applying the mixture to the root area and the soil within the root area in order to treat the root system of the tree exhibiting water sprouts on large limbs.

30. (New) The method of treating a tree exhibiting cessation of leaf production, a root system of the tree exhibiting cessation of leaf production existing in soil comprising the steps of:

creating a mixture comprising a fertilizer and a growth hormone; and  
applying the mixture to the root area and the soil within the root area in order to treat the root system of the tree exhibiting cessation of leaf production.

31. (New) The method of treating a dying tree, a root system of the dying tree existing in soil comprising the steps of:

creating a mixture comprising a fertilizer and a growth hormone; and  
applying the mixture to the root area and the soil within the root area in order to treat the root system of the dying tree.

32. (New) The method of treating a tree exhibiting general injury to its health, a root system of the tree exhibiting general injury to its health existing in soil comprising the

steps of:

creating a mixture comprising a fertilizer and a growth hormone; and  
applying the mixture to the root area and the soil within the root area in order to  
treat the root system of the tree exhibiting general injury to its health.

33. (New) The method of treating a tree exhibiting low growth, a root system of the  
tree exhibiting low growth existing in soil comprising the steps of:

creating a mixture comprising a fertilizer and a growth hormone; and  
applying the mixture to the root area and the soil within the root area in order to  
treat the root system of the tree exhibiting low growth.

34. (New) The method of Claims 1-9 and Claims 26-33 wherein the tree is an Oak,  
Elm, Hickory, Pecan, Bois d'ark, Hackberry, or other hardwood.